

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA

Jhen Scutella	:	C.A. No:1:19-cv-00168-Ral
	:	
V.	:	
	:	
Erie County Prison	:	
Amber Chaffe	:	
Micheal Holaman	:	
Deputy Warden Bryant	:	

COMPLAINT
I. INTRODUCTION

Jhen Scutella is currently a erie county prisoner filing a section 1983 to obtain relief from a constituinbal violation currently and still transpiring at the erie county prison

II.JURISDICTION

1.) The court jurisdiction to hear this case is established because all the facts arose in the western district establishing jurisdiction over the lawsuit alleging of federal constitutional rights specifically the 1st, 8th, 6th and 14th amendment.

III.PARTIES

2.) The plaintiff will be refered to as jhen scutella here in after the defendants will be refered to as counselor amber chaffe, deputy warden bryant and deputy warden micheal holamon

IV.FACTS

3.) On May 1st 2019, the plaintiff was sentenced to six months incarceration to the erie county prison, after arriving at the erie county prison, the prison withdrew 50 dollars from the 1,799.00 dollars i arrived with and that was placed into my prison account then started withdrawing 10 dollars a day for room and board on 5-22-2019 I asked for a greivance from amber chaffe through the prisons email system, which is recorded and documented, Amber chaffee responded by "what do i need a greivance for"

4.)I the plaintiff then replied on 5-23-2019 " that being charged ten dollars a day violates my civil liverties specifcally the 8th amendments cruel and unsuall punishment and alos violates the double jeopardy clause

5.) My second email to counselor amber chaffe was that i wanted anotehr grievance for greiavnces not being readily available, I then received a response on both emails "closed" (which all should be recorded and documented through the prison email system, which during discovery i should be able to obtain)

then following the emails i was called into the counselors office with deputy bryant which i was told that " these issues are non grievable and i should find more productive things to do with my time".

6.) Since then i have 10 dollars a day withdrawn from my account and i am in the negative over 1100 dollars and also i have no been able to file a grivance as they are no readily available, furether more the staff here have told me every time i have asked for grievance that its a non grievable issue state and federal law mandates that greivances should be readily available and furthermore there should be a seperate person who deals with the grievances not the counselor who passses them out such as a greivance coordinator.

V.CLAIMS

Under the 1st amendment my right to grieve and freedom of speech greivances in this facility should be readily available furthremore there should be a seperate staff member who should investigate these claims, there policy and procedure in place violates my 1st amendment furthremore these greivances are withheld so that someone as my self can not bring my claims to federal courts because i cannot exhaust my remedies if they are withheld, also the fact that the county withdraws 10 dollars a day for room and board the erie county sentenced me to this prison for six months and also fined me for court costs and fines and then punished me for a 3rd time by making me pay to the place they sentenced me which violates my 14th amendment due process substantively and procedurelly because i have not agreed to this nor did i havea formal hearing or notification also it violates double jeopardy and cruell and unusall pun ishment the 8ths and 14th amendment

VI.RELIEF

The plaintiff respectfully asks for the following relief and whatever this court may deem appropriate Injunctive relief- immiediate injunctive for the county to stop withdrawing the 10 dollars a day and returning the 800\$ they have withdrawn

3,500 in compensatory damages

3,500 in punitive damages

Jhen scutella
Pro se litigant